

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
LAS VEGAS, NEVADA

DENNIS TALLMAN, et al.,)
)
Plaintiff(s),)
)
vs.) 2:09-CV-944-PMP-PAL
)
CPS SECURITY (USA), INC.,) MINUTES OF THE COURT
et al.,)
)
Defendant(s).) DATED: October 15, 2012

PRESENT: THE HONORABLE PHILIP M. PRO, UNITED STATES DISTRICT JUDGE

COURTROOM DEPUTY: Donna Sherwood RECORDER: Henry Enriquez

COUNSEL FOR PLAINTIFF(S): Leon Marc Greenberg

COUNSEL FOR DEFENDANT(S): Jim D. Newman, Carol Davis Zucker,
Timothy Roehrs

PROCEEDINGS: **MOTION HEARING**

10:00 a.m. Court convenes.

The Court, having heard the arguments of counsel, finds as follows:

Joint Motion Dismissing Claims of Michael Minor and William Monks With Prejudice [115] is **GRANTED**.

Defendants' Motion in Limine to Admit Witness Declarations For Limited Purposes of Impeachment or Establishing Plaintiffs' Admissions and to Exclude Declarations for All Other Purposes [116] is **GRANTED TO THE EXTENT THE COURT WILL NOT ALLOW REFERENCE TO IN OPENING STATEMENTS, BUT OTHERWISE DENIED WITHOUT PREJUDICE TO ASSERT APPROPRIATE OBJECTIONS AT TRIAL IN ACCORD WITH THE FEDERAL RULES OF EVIDENCE**.

Defendants' Motion in Limine to Exclude the "International Residential Code" and "Chart of Multifamily Units" From Evidence at Trial [117] is **GRANTED TO THE EXTENT THE COURT WILL NOT ALLOW REFERENCE TO IN OPENING STATEMENTS, BUT OTHERWISE DENIED WITHOUT PREJUDICE TO ASSERT APPROPRIATE OBJECTIONS AT TRIAL IN ACCORD WITH THE FEDERAL RULES OF EVIDENCE**.

Defendants' Motion in Limine to Preclude Admission of Evidence of Settlement and Compromise [118] is **GRANTED**.

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Defendants' Motion in Limine to Bifurcate Issues of Liability From Issues of Damages [119] is **DENIED**.

Defendants' Motion in Limine to Limit the Testimony of Sydney Saucier [120] is **GRANTED**.

Plaintiffs' Motion in Limine [125]

Paragraph 2) - **GRANTED**.

Paragraph 3) - **DENIED WITHOUT PREJUDICE**.

Plaintiffs' Motion to Delineate Findings of Fact and Conclusions of Law to be Made at Trial [129] is **DENIED**.

Plaintiffs' Motion to Strike Late Responses to Plaintiffs' Motion in Limine [141] is **DENIED**.

Defendants' Motion for Consolidation [152] is **DENIED**.

Plaintiffs' Renewed Motion for Summary Judgment on Their Claims for Improper Wage Deductions [155] is **STRICKEN PER THE GRANTING OF MOTION #157**.

Defendants' Emergency Motion to Strike Plaintiffs' Renewed Motion for Summary Judgment on Their Claims for Improper Wage Deductions (Docket No. 155) [157] is **GRANTED**.

Plaintiffs' Renewed Motion for Summary Judgment [160] is **STRICKEN PER THE GRANTING OF MOTION #163**.

Defendants' Emergency Motion to Strike Plaintiffs' Second Renewed Motion for Summary Judgment (Docket No. 160) [163] is **GRANTED**.

Defendants' Motion for Sanctions [164] is **DENIED**.

The Court finds the following motions stand submitted:

Defendants' Motion in Limine for Admission of the Trailer Guard Orientation Video [121];

Defendants' Motion in Limine to Preclude Admission of Any Evidence of the Tentative Conclusions of a Single Wage and Hour Investigator That Were Subsequently Overruled by the U.S. Department of Labor and to Admit the Final Fact Findings of Various DOL Investigations [123];

Defendants' Motion in Limine to Admit the Final Fact Findings of Assistant District Director of the U.S. Department of Labor Charles Striegel ("The Striegel Letter") [124];

Plaintiffs' Motion in Limine [125] (Subparagraphs 1 & 4).

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IT IS FURTHER ORDERED:

Jury Trial set for 12/11/2012 at 9:00 a.m.

Final Pretrial Conference set for 12/6/2012 at 3:30 p.m.

Counsel shall file their proposed jury instructions by 11/14/2012 and their proposed voir questions, exhibit lists and witness lists by 12/3/2012.

Counsel shall file their positions as to [107-1] Stipulated Facts Applicable to This Case by 11/14/2012.

2:20 p.m. Court adjourns.

LANCE S. WILSON, CLERK

By:

/s/

Donna Sherwood, Deputy Clerk